



Posted: Friday, May 04, 2018

## NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on  
**WEDNESDAY, MAY 09, 2018 at 6:00 PM**

In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

### CLOSED SESSION BEGINS AT 5:00PM

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ADJOURN TO CLOSED SESSION**

- 1. Conference with legal counsel regarding active litigation. Tsurai Ancestral Society vs. City of Trinidad. Pursuant to California Government Code section 54956.9 (a)
- 2. Conference with legal counsel regarding real estate negotiations between the City of Trinidad and Verizon Wireless regarding the Trinidad Head cell site. Pursuant to California Government Code section 54956.8

- IV. **RECONVENE TO OPEN SESSION – CLOSED SESSION REPORT**

- V. **APPROVAL OF AGENDA**

- VI. **APPROVAL OF MINUTES – 04-11-18 cc**

- VII. **COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS**

- VIII. **STAFF REPORTS**

- IX. **ITEMS FROM THE FLOOR:** *At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.*

- X. **CONSENT AGENDA:** *All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.*

- 1. Financial Status Reports for March 2018.
- 2. Staff Activity Report for April 2018
- 3. Law Enforcement Report – April 2018
- 4. Resolution 2018-05; Requesting November 2018 Election Consolidation with the County of Humboldt
- 5. Authorize City Manager to Accept LID Project Bids and Award Construction Contract
- 6. Consider Draft Resolution 2018-01 formalizing principles of cooperation and communication with the Yurok people and the Tribal Governments within our greater planning area.

- XI. **DISCUSSION/ACTION AGENDA ITEMS**

- 1. Discussion/Decision regarding Tsurai Management Team.
- 2. Discussion/Decision regarding Edwards St. Bluff Parking between Ocean Ave. and Trinity Street.
- 3. Discussion regarding Onsite Wastewater Treatment System (OWTS) Ordinance Implementation.
- 4. Discussion/Decision regarding Planning Commissioner Vacancy Appointment.
- 5. Discussion regarding FY 2017-2018 Audit Recommendations.

- XII. **FUTURE AGENDA ITEMS**

APPROVAL OF MINUTES FOR:

APRIL 11, 2018, CC

Supporting Documentation follows with: PAGES

*Minutes for the following dates still pending:*

- 04-30-18 scc

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, APRIL 11, 2018**

**I. CALL TO ORDER**

Mayor Rotwein called the meeting to order at 6:00pm. Council members in attendance: West, Ladwig, Rotwein, Miller, Baker. City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

**II. PLEDGE OF ALLEGIANCE**

**III. CLOSED SESSION**

1. Public Employee Performance Evaluation and Contract Negotiations for City Manager Pursuant to Government Code Section 54957

**IV. CLOSED SESSION REPORT – *Nothing to report.***

**V. APPROVAL OF AGENDA**

*Motion (Baker/West) to approve the agenda as written. Passed unanimously.*

**VI. APPROVAL OF MINUTES – 11-15-17 scc, 11-29-17 scc, 03-14-18 cc, 03-28-18 cc2**

*Motion (West/Baker) to approve the minutes as amended. Passed unanimously.*

**VII. COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS**

**West, Baker, Miller, Ladwig:** Nothing to report.

**Rotwein:** Trails Committee update, Lighthouse Cooperators meeting update, and OES meeting tomorrow.

**VIII. STAFF REPORTS**

City Manager Berman's written staff report was included in the packet. Various highlights included 1) Tsurai Management Team met and discussed committee makeup, structure, and function, but is at a deadlock regarding how to move forward. They don't support opening the meetings to the public. This will be brought back to the Council at a future meeting.

**Mayor Rotwein** requested City Manager follow-up on 1) Auditor recommendations within 30 days, and 2) OWTS Ordinance update to be discussed at a future meeting.

**IX. ITEMS FROM THE FLOOR**

*(Three (3) minute limit per Speaker unless Council approves request for extended time.)*

**Barbara Kadelick** – Humboldt Association of Realtors  
Support Sunnyside Madrone for 5<sup>th</sup> District Supervisor.

**Patti Fleschner** – Trinidad

Continued encouragement of including all stakeholders in the Tsurai Management Team and land transfer meetings.

Written Correspondence Received.

**Mike Morgan** – Trinidad

Regarding Tsurai Study Area and Undisclosed Relationships.

**Kathleen Lake & Tom Davies** – Trinidad

Submitted a 6 page letter covering topics ranging from the City Manager Evaluation process and lack of response to various issues, recommendations to pull and discuss consent agenda items, request for future agenda items, and comments on tonight's agenda items.

**X. CONSENT AGENDA**

1. Staff Activity Report March 2018
2. Financial Statements February 2018
3. Law Enforcement Report March 2018
4. Approve Contract with Streamline Planning for Stormwater Project Environmental Permitting

5. Approve Contract with Streamline Planning for Local Coastal Program Update

*Motion (Baker/Miller) to pull number 6 for discussion. **Passed unanimously.***

*Motion (Miller/Ladwig) to approve 1-5 as submitted. **Passed unanimously.***

6. View Restoration on Van Wycke St.

City Manager Berman explained that 2 conditions have been added to the tree removal proposal regarding digging and cultural monitor participation.

Council questions included:

**Baker:** Has the adjacent property owners been notified? Have the concerns about possible graves in the area been addressed? A cultural resource survey will be required for the future Van Wycke Trail project, but that's not available at this time, right? I feel we have gone above and beyond our duties to protect the site and communicate with the stakeholders for this project.

**Rotwein:** There's a difference between Cultural Observers and Cultural Monitors. There will be no digging so paid monitors are not required. Observers are allowed to be there to advise "should" resources be identified.

Public comment included:

**Shirley Laos – Trinidad Rancheria:** Confirmed the difference between observers and monitors.

**Cyndi Lindgren – Trinidad Area Resident**

Natives rarely disclose grave locations in fear of looting.

*Motion (Ladwig/Miller) to authorize staff to approve the vegetation management for viewshed protection in the Van Wycke Street Right of Way, with discretion to modify the conditions of approval as appropriate.*

**Passed unanimously.**

XI. **DISCUSSION/ACTION AGENDA ITEMS**

1. Discussion regarding Trinidad Head Cell Tower Lease

City Manager Berman explained that this item is continued from the March 28<sup>th</sup> meeting. Council requested additional information about the status, if any, of Verizon efforts to pursue other tower locations, including on Green Diamond Resource Company timberlands. Verizon indicated they were unfamiliar with Green Diamond and indicated they were not aware of alternative sites under consideration beyond the existing Trinidad Head and Quarry sites. In following up with Yurok THPO Frankie Myers, he was referring to Verizon and Green Diamond collaborating on other sites elsewhere in the County – not in Trinidad. AT&T expressed interest in the Trinidad Cemetery, but there isn't enough space there. The Trinidad VFD is concerned about impacts to public safety if cell coverage is reduced by the premature removal of the Head site.

In the apparent absence of a plan to adequately replace the Trinidad Head site, staff recommends reaffirming the Council's September 2018 termination date.

Public comment included:

**Richard Kieselhorst – Trinidad VFD**

Read a letter on behalf of Chief Marquette and the VFD in favor of maintaining cellular coverage at the current level until equal or better coverage is developed. Explained how cell phones have been integrated in the emergency dispatch processes, and how personnel has come to rely upon it. Terminating the lease without confidence from Verizon that adequate or better coverage has been matched would not be in the public's best interest.

**Jerome Wade – Verizon Representative**

Requested that the Council consider a 1-2 year extension. Explained that the Quarry site took almost 3 years to develop due to the incredible amount of work required in finding the appropriate site, planning, and developing the site. He showed a site map highlighting the 3<sup>rd</sup> and final site that's still in the planning stages off 8<sup>th</sup> Avenue. When this site is complete, the coverage will be much better and relieve dependency of the Trinidad Head site.

**Brad Twoomey – Trinidad**

Noted how much room US Cellular originally demanded for the second site on Trinidad Head.

**Kathleen Lake – Trinidad**

With all due respect to the Volunteer Fire Department, there has always been cell coverage issues. I disagree with the comments they made earlier and support site removal and discontinuing the lease. (Submitted written comments that were distributed to the Council in advance of the meeting).

**Mareva Russo – Trinidad**

I began my research on this topic in 2005. Instead of dwelling on the mistakes, Verizon should have been working on this. BLM donated this land to the City for use as open space. Cited examples of Open Space activities allowed, and examples of activities and equipment that does not fit. Cell companies have enjoyed primo site for 20+ years. It's time to fix their mistakes and affirm removal in 2018.

**Cyndi Lindgren – Trinidad**

It is inappropriate to have this site on Trinidad Head. Passage of time and the public's increased use of phones does not matter. Cell companies aren't forthright with what they "can" do. Public safety sector brought forth the emotional perspective. I strongly suggest not putting the lease extension in writing. Keep it as a month-to-month, word of mouth agreement. It could become an issue with the FCC if you put it in writing.

**Patti Fleschner – Trinidad**

Seems like Verizon is working to improve the situation. Our guest has convinced me that patience and mercy is worthy. Permitting anything in our area takes forever. Patience seems very fair.

**Stanton Wood – Trinidad Area**

We are on Yurok land. We were safe for many years before cell towers were here. Tech dependency is not good.

**Barbara Kadelick – Trinidad Area**

Has Verizon explained where they are in permitting the Westhaven site?

**Jim Stephenson – Trinidad Area**

The site should be kept on Trinidad Head. The Head is not a wilderness area. There are paved roads, utilities, and other structures on it. Some of us don't have Suddenlink service at our homes, and rely on Verizon for internet connectivity. My wife communicates through Verizon with other countries for work in business and philanthropy.

Written correspondence included:

- Email from Sprint to City Manager Berman, stating their commitment to relocation at the quarry site to provide ongoing service to it's customers, and responded to public comments made at the March 28 meeting.
- Email from Jerome Wade to City Manager Berman, responding to questions the City had regarding efforts to explore other sites, etc.
- April 11 letter from AT&T expressing desire to continue cell site operations at Trinidad Head, etc.

Council comments included:

**Ladwig:** I appreciate the safety concerns, but haven't seen a valid effort by Verizon to mitigate this.

**Rotwein:** Where is Verizon in the Westhaven site permitting process?

**Baker:** Permitting and logistics questions about the Westhaven site. We should keep the extension as short as feasible if we decide to continue the lease. I believe public safety is of great concern.

**Miller:** Corporations vs. Green. I'm concerned for the cultural significance of the Head. I'm also concerned for the people who have come to depend on coverage to consume all types of information, including public safety. I'm in favor of removing the Head facilities in a "smart" way – not in a "stick it to the corporations" way. I propose a 2-year max extension, with regular reports back to the City with progress on the new site.

*Motion (Miller) to consider real estate negotiations to extend the lease for up to 2-years with regular progress reporting back to the City for development of the new Westhaven site. **Motion failed due to lack of second.***

*Motion (Baker/West) to enter into negotiation for 1-year extension from September 2018, dependent upon specific progress reports to the City on Westhaven site development. **Passed 3-2. Rotwein,Ladwig = NO.***

*Motion (Rotwein/Miller) to volunteer themselves to participate in the negotiation process. **Passed unanimously.***

2. Discussion regarding Community TOT Allocations

City Manager Berman explained that the City has distributed a percentage of annual TOT revenue for community groups including the Chamber of Commerce, Museum Society, and Library in past years, and has budgeted to do so again this year.

The total Occupancy Tax revenue collected in FY 2016-2017 (not including 2% TBID) was **\$137,120**. The City authorized 10% of the total TOT allocation to be distributed to (3) recipient organizations with the approval of the 2017-2018 budget last July. The amount of \$13,712 is programmed to be distributed in the following amounts.

60%	<b>\$8,227</b>	Greater Trinidad Chamber of Commerce
30%	<b>\$4,114</b>	Trinidad Museum
10%	<b>\$1,371</b>	Trinidad Library

Staff are looking for discussion and direction from the Council on a few issues related to this. Issues for discussion are:

- **Requests from additional organizations:** The Trinidad Coastal Land Trust has asked if they can also benefit from these funds. Other groups have made similar requests in the past.
- **Restrictions on 'gift of public funds':** To avoid these distributions falling afoul of the legal restrictions on gifts of public funds, it is important to document that the funds are being provided for a public purpose. The Council has reasonable discretion to establish the 'public purpose' so long as the funds are clearly going to benefit the broader public rather than to benefit private groups or individuals. Staff believe the City should improve our documentation of the public benefit of these funds. Many Cities address this by establishing a contract with recipients that lays out the public purposes that the funds will be used for, with an annual report to document what was done.
- **Budget Considerations:** The distribution of these funds is included in the current year's budget. A decision of whether to repeat this format in the coming year's budget will be made over the next few months.
- **Alternative Approaches:** Rather than using a pre-determined formula, the City could set aside a similar amount (or a different amount) and encourage qualified community groups to apply for funding for specific public purpose projects as an annual 'mini-grant' program. The review process and resulting grant agreement would ensure the funds are directed to projects with a public purpose. The City could provide direction on specific areas it seeks to support. For instance the Chamber could request funds specifically to support and promote the Clam Beach Run and the Museum Society could request funds for promoting or developing a specific exhibit or speaker series.

Public comment included:

**Patti Fleschner** – Trinidad

For the past 5 years, the City has been generous with the groups that benefit from the allocation payments. Shared some of the successes of the Museum and Land Trust and how the groups serve the



community. Portions of the occupancy tax has traditionally been shared with visitor serving organizations.

**Adora King – Trinidad**

TOT comes from vacation rentals. We don't have a program to handle the vacation rental ordinance. The Chamber of Commerce is made of business owners and the money is spent to promote them.

Council comments included:

**Miller:** The Coastal Land Trust should be a recipient. The current recipients should consider having the Land Trust share a portion of the distribution.

*Motion (Rotwein/Miller) to distribute the 2018 T.O.T. allocation to the following groups and amounts: 40% Chamber, 30% Museum, 20% Land Trust, and 10% Library. **Passed unanimously.***

3. Discussion regarding Draft STR Committee Charter

City Manager Berman explained that the Council discussed the concept of an STR Committee at recent meetings and directed staff to prepare a draft Committee Charter to outline the duties and membership of such a Committee.

The following draft STR Committee Charter is proposed:

**Powers and Duties:**

The primary role of the STR Committee is to advise and provide recommendations to the City Council, staff, and Planning Commission on matters relating to Short Term Rentals in the City of Trinidad.

These duties include:

- To provide a forum for community engagement, outreach, and education for issues regarding short-term rentals;
- To periodically review and make recommendations regarding current City Regulations and their implementation with respect to short-term rentals.

**Committee Composition and Meetings:**

Meetings will be held at least quarterly, publicly noticed in accordance with the Brown Act, and open to all.

The membership of the STR Committee shall be appointed by the City Council, and shall be composed of the following representatives:

- (1) Planning Commissioner (Chair)
- (2) STR business representatives (Owners or managers)
- (2) General Public representatives (City residents)

The City Manager, or designee, shall serve as primary staff liaison to the STR committee.

The Committee would be advisory to the City Council, staff, and Planning Commission, and would play an important role in reviewing existing policy and the implementation of that policy, generating suggestions for potential changes to the City STR Ordinance, and reviewing STR enforcement issues.

Public comment included:

**Shirley Laos – Trinidad Rancheria**

Supports having STR owners on the committee, and that it remain advisory only. Individual members should be vetted and they should follow the charter to avoid issues.

Council comments included:

**Baker:** The members must accept that the Ordinance is the law of the land. Concerned about conflicts of interest and leaving the City Manager on the hot seat.

**West:** The draft charter looks good. We should add that an annual meeting should be held following the busy summer to receive input from the community.

*Motion Rotwein/West to adopt a Short-Term Rental Advisory Committee, the committee charter, and requiring the annual meeting to be held in October to receive input. Volunteer recruitment should be advertised for 30 days, and applicants reviewed and appointed at a future Council meeting. **Passed unanimously.***

4. Discussion regarding Trail Committee Vacancy Appointment

Volunteer Jonna Kitchen resigned from the Committee recently due to a scheduling conflict. A vacancy notice was posted for two weeks with a deadline for letters of interest ending on April 11, at 2:00pm. As of this date, only one letter of interest was received. Ocean Avenue resident Scarlet Ibis offered to serve on the committee.

There was no public or Council comment.

*Motion (Ladwig/Baker) to appoint Scarlet Ibis to the Trails Committee. **Passed unanimously.***

**XI. FUTURE AGENDA ITEMS**

- Update on Auditor Recommendations
- Budget Workshop, April 30, 3:00-5:00pm.
- TMT Meeting update
- Lighthouse Resolution
- Verizon Real Estate Negotiations

**XIII. ADJOURNMENT: 8:50 pm**

**Submitted by:**

**Approved by:**

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**Gabriel Adams**  
Trinidad City Clerk

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**Susan Rotwein**  
Mayor





## **CONSENT AGENDA ITEM 1**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES**

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1. Financial Status Reports for March 2018

**City of Trinidad**  
**Statement of Revenues and Expenditures - GF Revenue**  
**From 3/1/2018 Through 3/31/2018**

		Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue					
41010	PROPERTY TAX - SECURED	0.00	45,716.95	90,000.00	(49.20)%
41020	PROPERTY TAX - UNSECURED	0.00	3,075.34	3,300.00	(6.81)%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	28.84	50.00	(42.32)%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	439.38	600.00	(26.77)%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	95.59	200.00	(52.20)%
41070	PROPERTY TAX - FINES	0.00	547.26	0.00	0.00%
41071	MOTOR VEHICLES	0.00	0.00	1,000.00	100.00)%
41110	PROPERTY TAX EXEMPTION	0.00	579.10	1,300.00	(55.45)%
41130	PUBLIC SAFETY 1/2 CENT	0.00	965.94	1,600.00	(39.63)%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	2,405.45	2,000.00	20.27%
41190	PROPERTY TAX ADMINISTRATION FE	0.00	(1,137.00)	(1,500.00)	(24.20)%
41200	LAFCO Charge	0.00	(452.93)	(1,750.00)	(74.12)%
41220	IN LIEU VLF	0.00	14,882.00	28,600.00	(47.97)%
42000	SALES & USE TAX	21,858.43	154,864.22	240,000.00	(35.47)%
43000	TRANSIENT LODGING TAX	0.00	86,559.86	150,000.00	(42.29)%
43100	TRANSIENT LODGING TAX-TBID	0.00	0.00	(15,600.00)	100.00)%
46000	GRANT INCOME	0.00	40,465.00	100,000.00	(59.53)%
46100	Measure Z Grant Income	0.00	0.00	75,000.00	100.00)%
47310	VEHICLE LICENSE COLLECTION	0.00	194.31	0.00	0.00%
47650	RECYCLING REVENUE	0.00	532.95	0.00	0.00%
49090	DONATIONS/FUNDRAISING/GRANTS	0.00	5,000.00	0.00	0.00%
53010	COPY MACHINE FEE	2.00	73.30	50.00	46.60%
53020	INTEREST INCOME	164.97	4,867.57	5,000.00	(2.65)%
53090	OTHER MISCELLANEOUS INCOME	250.83	2,792.58	1,000.00	179.26%
54020	PLANNER- APPLICATION PROCESSIN	0.00	6,616.80	8,000.00	(17.29)%
54050	BLDG.INSPECTION-APPLICATION PROCESSI	2,749.39	12,814.99	9,000.00	42.39%
54100	ANIMAL LICENSE FEES	0.00	60.00	200.00	(70.00)%
54150	BUSINESS LICENSE TAX	15.00	18,132.00	7,500.00	141.76%
54170	VDU License Fee (Vacation Dwelling Unit)	0.00	0.00	9,000.00	100.00)%
54300	ENCROACHMENT PERMIT FEES	0.00	150.00	400.00	(62.50)%
56400	RENT - VERIZON	0.00	20,012.25	24,000.00	(16.62)%
56500	RENT - HARBOR LEASE	0.00	9,970.00	5,135.00	94.16%
56550	RENT - PG& E	0.00	0.00	9,500.00	100.00)%
56650	RENT - SUDDENLINK	0.00	3,343.47	3,800.00	(12.01)%
56700	RENT - TOWN HALL	125.00	3,872.00	7,000.00	(44.69)%
57200	Water Sales - Wholesale	0.00	720.00	0.00	0.00%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	100,000.00	100.00)%
	Total Revenue	25,165.62	438,187.22	864,385.00	(49.31)%

**City of Trinidad**  
Statement of Revenues and Expenditures - GF Expense  
201 - GFAdmin  
From 3/1/2018 Through 3/31/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	200.00	1,800.00	3,500.00	48.57%
61000	EMPLOYEE GROSS WAGE	8,602.71	80,621.36	106,719.00	24.45%
61470	FRINGE BENEFITS	46.16	461.60	600.00	23.07%
65100	DEFERRED RETIREMENT	911.30	8,847.09	11,345.00	22.02%
65200	MEDICAL INSURANCE AND EXPENSE	1,051.29	10,717.57	13,099.00	18.18%
65250	Health Savings Program	0.00	87.49	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	3,318.45	3,415.00	2.83%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	144.81	500.00	71.04%
65600	PAYROLL TAX	727.61	6,857.71	9,032.00	24.07%
65800	Grant Payroll Allocation	(105.00)	(1,295.00)	(1,880.00)	31.12%
68090	CRIME BOND	0.00	487.50	520.00	6.25%
68200	INSURANCE - LIABILITY	0.00	10,645.70	11,050.00	3.66%
68300	PROPERTY & CASUALTY	0.00	4,156.10	4,875.00	14.75%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	7,953.00	10,000.00	20.47%
71130	ATTORNEY-LITIGATION	0.00	0.00	10,000.00	100.00%
71160	ACCOUNTING	0.00	798.23	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	2,494.75	3,000.00	16.84%
71300	CITY PLANNER-MEETINGS	0.00	3.50	0.00	0.00%
71310	CITY PLANNER-ADMIN. TASKS	0.00	52,965.78	48,000.00	(10.35)%
71410	BLDG INSPECTOR-ADMIN TASKS	839.35	8,585.00	6,000.00	(43.08)%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	0.00	10,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	947.57	10,768.70	14,500.00	25.73%
71620	AUDITOR-FINANCIAL REPORTS	4,658.55	13,498.55	15,000.00	10.01%
72000	CHAMBER OF COMMERCE	0.00	0.00	16,800.00	100.00%
72100	BAD DEBTS	0.00	73.49	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	530.75	4,215.75	3,000.00	(40.52)%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	500.00	500.00	0.00%
75170	RENT	750.00	6,750.00	9,000.00	25.00%
75180	UTILITIES	1,208.09	9,494.81	7,875.00	(20.57)%
75190	DUES & MEMBERSHIP	0.00	50.00	1,000.00	95.00%
75200	MUNICIPAL/UPDATE EXPENSE	40.00	3,052.00	4,000.00	23.70%
75220	OFFICE SUPPLIES & EXPENSE	716.30	4,244.23	6,000.00	29.26%
75240	BANK CHARGES	0.00	10.00	200.00	95.00%
75300	CONTRACTED SERVICES	0.00	66.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	1,040.51	0.00	0.00%
76110	TELEPHONE	169.66	2,093.23	1,800.00	(16.29)%
76130	CABLE & INTERNET SERVICE	211.90	2,524.20	3,500.00	27.88%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78170	SECURITY SYSTEM	0.00	451.50	500.00	9.70%
78190	MATERIALS, SUPPLIES & EQUIPMEN	30.00	267.81	1,500.00	82.15%
96200	TRANSFER OUT	0.00	(84,525.00)	0.00	0.00%
	Total Expense	21,536.24	174,226.42	336,450.00	48.22%

**City of Trinidad**  
Statement of Revenues and Expenditures - GF Expense  
301 - Police  
From 3/1/2018 Through 3/31/2018

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	548.34	4,767.14	5,376.00	11.33%
65100	DEFERRED RETIREMENT	36.74	332.93	228.00	(46.02)%
65200	MEDICAL INSURANCE AND EXPENSE	0.24	1.20	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	153.86	172.00	10.55%
65600	PAYROLL TAX	44.94	391.97	429.00	8.63%
75170	RENT	750.00	6,750.00	9,000.00	25.00%
75180	UTILITIES	139.76	1,477.03	1,050.00	(40.67)%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	244,027.50	100.00%
75350	ANIMAL CONTROL	120.00	1,002.00	1,500.00	33.20%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	500.00	100.00%
76110	TELEPHONE	90.70	817.01	1,200.00	31.92%
	Total Expense	<u>1,730.72</u>	<u>15,693.14</u>	<u>264,482.50</u>	<u>94.07%</u>

**City of Trinidad**  
Statement of Revenues and Expenditures - GF Expense  
401 - Fire  
From 3/1/2018 Through 3/31/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	150.00	1,350.00	1,800.00	25.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	3,668.00	0.00	0.00%
75180	UTILITIES	46.49	434.14	500.00	13.17%
75190	DUES & MEMBERSHIP	190.00	190.00	250.00	24.00%
75280	TRAINING / EDUCATION	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	0.00	73,762.70	75,000.00	1.65%
76110	TELEPHONE	77.40	558.19	1,000.00	44.18%
76140	RADIO & DISPATCH	0.00	0.00	900.00	100.00%
78140	VEHICLE FUEL & OIL	29.46	111.44	350.00	68.16%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	6.59	1,000.00	99.34%
78190	MATERIALS, SUPPLIES & EQUIPMEN	129.91	842.72	2,500.00	66.29%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
	Total Expense	623.26	80,923.78	87,300.00	7.30%

**City of Trinidad**  
Statement of Revenues and Expenditures - GF Expense  
501 - PW (Public Works)  
From 3/1/2018 Through 3/31/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	7,029.40	58,658.52	85,557.00	31.44%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	765.17	6,864.90	10,492.00	34.57%
65200	MEDICAL INSURANCE AND EXPENSE	3,415.73	23,650.32	35,452.00	33.29%
65250	Health Savings Program	0.00	144.68	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	214.22	2,798.00	92.34%
65600	PAYROLL TAX	593.18	4,999.75	7,491.00	33.26%
65800	Grant Payroll Allocation	(1,105.91)	(13,812.11)	(43,000.00)	67.88%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	38,290.61	8,000.00	(378.63)%
71250	CITY ENGINEER - PROJECT FEES	0.00	0.00	4,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	62.91	0.00	0.00%
75150	PROPERTY TAX	0.00	15.00	0.00	0.00%
75180	UTILITIES	0.00	36.11	0.00	0.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	2,400.00	100.00%
75300	CONTRACTED SERVICES	0.00	8,414.85	12,000.00	29.88%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	6,471.14	5,000.00	(29.42)%
78120	STREET LIGHTING	464.07	3,473.64	4,500.00	22.81%
78130	TRAIL MAINTENANCE	3.43	803.60	3,500.00	77.04%
78140	VEHICLE FUEL & OIL	353.25	3,231.57	4,000.00	19.21%
78150	VEHICLE REPAIRS	0.00	1,587.80	2,500.00	36.49%
78160	BUILDING REPAIRS & MAINTENANCE	3,997.42	5,898.86	5,000.00	(17.98)%
78170	SECURITY SYSTEM	0.00	463.50	500.00	7.30%
78190	MATERIALS, SUPPLIES & EQUIPMEN	506.47	11,001.20	13,000.00	15.38%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
96100	TRANSFER IN	0.00	(84,525.00)	0.00	0.00%
	Total Expense	16,022.21	75,946.07	165,140.00	54.01%



**City of Trinidad**  
Statement of Revenues and Expenditures - Monthly Reports  
204 - IWM  
From 3/1/2018 Through 3/31/2018

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	5,000.00	0.00	0.00%
47650	RECYCLING REVENUE	0.00	1,337.53	10,500.00	(87.26)%
56150	FRANCHISE FEES	0.00	4,353.86	6,000.00	(27.44)%
	Total Revenue	0.00	10,691.39	16,500.00	(35.20)%
	Expense				
61000	EMPLOYEE GROSS WAGE	1,031.07	8,737.89	10,921.00	19.99%
65100	DEFERRED RETIREMENT	108.39	1,005.42	1,386.00	27.46%
65200	MEDICAL INSURANCE AND EXPENSE	409.21	3,658.92	5,614.00	34.83%
65250	Health Savings Program	0.00	26.49	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	326.94	369.00	11.40%
65600	PAYROLL TAX	86.63	742.98	989.00	24.88%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,200.00	100.00%
	Total Expense	1,635.30	14,498.64	20,979.00	30.89%
	Net Income	(1,635.30)	(3,807.25)	(4,479.00)	(15.00)%

**City of Trinidad**  
Statement of Revenues and Expenditures - Monthly Reports  
601 - Water  
From 3/1/2018 Through 3/31/2018

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
<b>Revenue</b>					
53020	INTEREST INCOME	0.00	0.00	1,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	0.00	2,000.00	(100.00)%
57100	WATER SALES	24,865.01	241,836.10	295,000.00	(18.02)%
57200	Water Sales - Wholesale	0.00	4,320.00	5,000.00	(13.60)%
57300	NEW WATER HOOK UPS	0.00	10,900.00	1,000.00	990.00%
57500	WATER A/R PENALTIES	(992.68)	2,816.26	1,000.00	181.63%
	<b>Total Revenue</b>	<b>23,872.33</b>	<b>259,872.36</b>	<b>305,000.00</b>	<b>(14.80)%</b>
<b>Expense</b>					
61000	EMPLOYEE GROSS WAGE	5,684.89	70,619.85	94,359.00	25.16%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	564.31	8,176.25	11,333.00	27.85%
65200	MEDICAL INSURANCE AND EXPENSE	3,104.84	28,316.65	40,384.00	29.88%
65250	Health Savings Program	0.00	188.65	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	2,879.00	3,078.00	6.47%
65600	PAYROLL TAX	473.79	5,995.70	8,225.00	27.10%
68090	CRIME BOND	0.00	262.50	280.00	6.25%
68200	INSURANCE - LIABILITY	0.00	5,732.30	6,125.00	6.41%
68300	PROPERTY & CASUALTY	0.00	2,237.90	2,625.00	14.75%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	1,000.00	100.00%
71160	ACCOUNTING	0.00	429.82	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	510.23	5,798.54	6,500.00	10.79%
71620	AUDITOR-FINANCIAL REPORTS	2,508.45	7,268.45	7,000.00	(3.84)%
72100	BAD DEBTS	62.25	68.51	350.00	80.43%
75180	UTILITIES	810.66	8,952.40	13,000.00	31.14%
75190	DUES & MEMBERSHIP	0.00	1,275.14	1,000.00	(27.51)%
75220	OFFICE SUPPLIES & EXPENSE	140.00	2,506.58	3,000.00	16.45%
75240	BANK CHARGES	10.00	20.00	100.00	80.00%
75280	TRAINING / EDUCATION	0.00	1,296.04	500.00	(159.21)%
75300	CONTRACTED SERVICES	0.00	7,708.30	15,000.00	48.61%
76110	TELEPHONE	142.14	1,113.55	1,800.00	38.14%
76130	CABLE & INTERNET SERVICE	61.95	557.55	750.00	25.66%
76160	LICENSES & FEES	0.00	2,423.70	4,500.00	46.14%
78120	STREET LIGHTING	0.00	0.00	1,600.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	359.08	1,500.00	76.06%
78150	VEHICLE REPAIRS	0.00	217.73	2,000.00	89.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	153.37	1,000.00	84.66%
78170	SECURITY SYSTEM	0.00	359.87	500.00	28.03%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,723.56	12,000.00	85.64%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	442.00	1,000.00	55.80%
79100	WATER LAB FEES	860.00	4,415.00	4,000.00	(10.38)%
79120	WATER PLANT CHEMICALS	0.00	4,005.18	7,500.00	46.60%
79130	WATER LINE HOOK-UPS	0.00	10,900.00	1,000.00	(990.00)%
79150	WATER LINE REPAIR	0.00	10,045.92	15,000.00	33.03%
79160	WATER PLANT REPAIR	0.00	2,895.85	8,000.00	63.80%
90000	Capital Reserves	0.00	0.00	20,000.00	100.00%
	<b>Total Expense</b>	<b>14,933.51</b>	<b>199,344.94</b>	<b>300,509.00</b>	<b>33.66%</b>
	<b>Net Income</b>	<b>8,938.82</b>	<b>60,527.42</b>	<b>4,491.00</b>	<b>1,247.75%</b>

**City of Trinidad**  
Statement of Revenues and Expenditures - Monthly Reports  
701 - Cemetery  
From 3/1/2018 Through 3/31/2018

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
58100	CEMETERY PLOT SALES	0.00	3,712.50	9,500.00	(60.92)%
58150	Cemetery Plot Refunds	(2,152.50)	(2,152.50)	0.00	0.00%
	Total Revenue	(2,152.50)	1,560.00	9,500.00	(83.58)%
Expense					
61000	EMPLOYEE GROSS WAGE	1,198.81	10,911.12	13,685.10	20.27%
65100	DEFERRED RETIREMENT	124.36	1,257.28	1,748.42	28.09%
65200	MEDICAL INSURANCE AND EXPENSE	513.73	4,584.16	6,920.46	33.76%
65250	Health Savings Program	0.00	32.69	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	412.53	466.25	11.52%
65600	PAYROLL TAX	100.61	927.70	1,248.38	25.69%
75180	UTILITIES	45.23	466.96	750.00	37.74%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	1,982.74	18,592.44	25,318.61	26.57%
	Net Income	(4,135.24)	(17,032.44)	(15,818.61)	7.67%



## **CONSENT AGENDA ITEM 2**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES**

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2. Staff Activity Report for April 2018



*Susan Rotwein, Mayor  
Dan Berman, City Manager*

## STAFF ACTIVITIES REPORT

For Council Meeting of May 9th 2018

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### City Administration:

**Annual Audit** – The Audit is complete. Staff have moved most of our reserve funding to the Local Agency Investment Fund (LAIF) to improve the interest rate return on funds. The recommendations in the Auditor's report have been implemented, with the exception of establishing a Cemetery Endowment Fund.

**Trails Advisory Committee**- Recommendation re: dogs on Trinidad Head is now part of City Code.

**OWTS Permits** - Staff and the City Planner are continuing to implement the plan to issue OWTS operating permits to all septic system owners in the City. Staff is processing all outstanding applications received to date (quadrants 1 & 2), and is following up with owners as necessary. The Planner has drafted operating permits for all quadrant 1 & 2 applications. Staff mailed OWTS operating permit packets to owners without operating permits in the Parker Creek area of town (parts of quadrants 3 & 4). These parcels may be eligible for funding assistance through the Clean Beaches Initiative grant program. The remaining parcels in town without operating permits will be contacted next.

**Law Enforcement Service** – The Sheriff's Office has assigned Deputy Nate Cumbow as our additional half time deputy position supported with Measure Z funds. He started on January 14<sup>th</sup> – see the Jan 24<sup>th</sup> meeting agenda item. The City will utilize the current year's Measure Z funds to support the half time position through December 2018, and have just been awarded additional Measure Z funds to continue that position through June 2019. .

**Trinidad Rancheria Efforts to put the Harbor Property in Federal Trust Status.** The City requested an update from the Bureau of Indian Affairs and was informed that BIA is still working on responses to the comment letters received. No timetable for next steps was provided, but the City and other commenters are on the notification list for this project.

### **Trinidad Rancheria Highway 101 Interchange Project**

The Rancheria made a presentation about the status of this project at the February 28<sup>th</sup> City Council meeting.

### **STR Ordinance**

The revised (2016) Ordinance is now in effect. 28 STR licenses have been issued. The UR zone is near its cap (21 licenses, cap of 19). The SR zone is below the cap. The new ordinance has resulted in at least three licenses going away upon property sales, and the number of guests in the UR zone has come down by 26 due to lower allowed occupancy and some rentals losing their license upon sale.

#### **Tsurai Study Area Settlement and Land Transfer.**

A draft settlement and land transfer was conditionally approved by Council in December 2016. Additional agreements were deemed necessary because of prior legal settlements involving multiple state agencies. Efforts to resolve this complication and complete the settlement and land transfer are ongoing.

## **Planning**

### **City Planner Report:**

#### **Detached Living Spaces**

The Planning Commission has completed their effort to provide recommendations to the Council on this issue. Their recommendations are attached, and will be the subject of a discussion item on a future agenda.

#### **OWTS Management Program**

Staff are making progress on OWTS Permits. This was requested as a discussion item, and will be covered in more detail at the meeting under that item.

The first step was to reconcile the files to ensure consistency between the City and Streamline offices. This has mostly been completed, but we need to update both sets of files with any new DEH file information that we don't have, and the City needs to get copies of the DEH files Streamline already has. A second round of letters was sent to properties within the Clean Beaches grant area in order to try to get a few more participants in the repair program. And a second round of letters is being prepared to be sent to properties in quadrant 2, which received initial requests to submit OWTS Permit applications in December 2013. About 25% of those property owners submitted incomplete information, and another 20% did not submit anything. The next step will be to start issuing new permits. All the remaining permits for quadrant 1 have been drafted, except for 2 properties that did not submit anything; the City will be following up with those two properties with more formal letters. Once we are to the point of making steady progress on issuing permits, then staff will send letters requesting inspection reports and OWTS applications to the remaining (non-Clean Beaches) properties within quadrants 3 and 4 and continue the process. Once all properties have been issued permits, then we can start asking for renewals on any expired permits.

#### **General Plan Update**

We are about a year behind the ambitious schedule presented in the last major update to the Council that was provided in a memo dated January 19, 2017. Since then, City staff did apply for supplemental funding and an extension to the Coastal Commission grant period to complete much of the work. That was approved, and the grant period now runs



to October 31, 2018. I am still hopeful that we can meet our grant obligations within that time. The following is an update on the various tasks.

- *Planning Commission Review* – The Planning Commission has reviewed all the draft elements of the General Plan again. That occurred from January 2017 through July 2017. Although the Planning Commission had several special meetings to keep that discussing going, it still took well over the estimated two months.
- *Background Reports and Information* – Staff held two harbor area stakeholder meetings on April 17, 2017 (one during the day and one in the evening). Informal Tribal consultation has not been very fruitful so far, but staff continues to seek input.
- *Update Draft General Plan* – Staff have been working on incorporating the Planning Commission comments into the draft, as well as information from recent background reports such as the one regarding climate change and sea level rise. In addition, comments from the harbor stakeholder meeting have been incorporated. Staff have also been adding to the draft elements where deficiencies were identified after an analysis based on the Coastal Commission's LCP update guidelines. In addition, the State adopted new General Plan Guidelines in 2017, which staff have been reviewing for consistency with the existing draft. Staff have finalized revisions to the Land Use Element, and Conservation and Open Space Element, and are currently working on the Circulation Element and Cultural Resources Element. We have been waiting for updated maps in order to start submitting elements to the Coastal Commission for their staff review, but plan on starting to submit drafts this week regardless of whether all the maps are complete.
- *Zoning Ordinance* – Staff have started drafting zoning ordinance updates to make it consistent with the draft general plan and current Coastal Act requirements.

**Cell Towers** – See agenda

**Memorial Light House** – The Memorial Light House and Bell have been successfully moved to a new temporary location at the Trinidad Rancheria Harbor Properties under an Emergency Permit. The Civic Club will be working with the City on a regular 'follow up' permit for this work, including clean up at the former site. The Civic Club, after a community meeting, have decided that the permanent home will be at the Rancheria Harbor Property.

**General Plan/LCP Update-** Planning Commission has completed review and provided comment on the existing draft Plan chapters. The City Planner is updating the older elements with current information and the Planning Commission's input prior to it going back to them. Staff is working with the Trinidad Rancheria and Yurok Tribe to get their input on the entire general plan and to finalize the draft Cultural Element. The City was awarded \$51,000 in additional grant funding from the Coastal Commission's LCP Update Grant Program to complete coastal hazards planning and a water supply assessment as well as update the Local Coastal Program Implementation Plan.

**Unpermitted Development** – The City is working with the Coastal Commission and a Scenic Dr. landowner to resolve problems related to shoreline armoring efforts that were undertaken without permits. Final notices before Nuisance Abatement proceedings have been sent.

**View Restoration Permit process for Van Wycke St.**

The new owners of the property are working with the neighbors and planning for significant trimming to restore views this summer.

**CalFire Water Line Extension**

The City has approved the LCP/General Plan amendment process required for this. CalFire will be returning soon with an application to the City (and County) for the CDP and other necessary permits for the physical construction of the water line.

**Marine Lab Cypress Tree** HSU has applied to remove this tree. This may be before the Planning Commission at their regular May meeting.

## WATER SYSTEM

**Install Streamflow Monitoring on Luffenholtz Creek (Water Fund)**

This is complete, with flow monitoring being conducted to calibrate the automated monitoring system. The data can be viewed at the following link, soon to be on the City Website: <https://m2x.att.com/dashboards/shared/483d35e70ccd5170cf6646115b13a19d?>

**Resolving Title at Water Plant** The Water Plant was built on the old County road right of way, and that has never been cleaned up. The County has indicated they are open to helping us resolve this.

**Asset Management System** –New Asset Management software is configured and installed at the Water Plant, and is already populated with data about many key components and maintenance of the Water Plant. The program is up and running and staff is now using this for the maintenance scheduling and recordkeeping. The next step will be using the water quality module to complete the next round of water quality reporting for the State and the annual Consumer Confidence Report.

**Facilities Maintenance Budget** – Staff are working to develop a long term facilities maintenance budget for the regular maintenance and replacement of our key buildings and infrastructure. The Asset Management System will help staff develop long range plans for future replacement of critical assets and to prioritize our long term maintenance and replacement efforts.

**Water accountability** – Through meter replacement, identifying and addressing leaks, accounting for plant process water, and metering previously un-metered services, staff continue audit and reduce water loss. Recently staff have identified and fixed several leaks in the distribution system. Staff have also identified numerous leaks on the property owner's side and coordinated with the appropriate party to facilitate the necessary repairs.

**Water Distribution System** - Two pressure reducing valves which are critical components that regulate water system pressures in the lower part of town have been rebuilt and are functioning properly. The fire hydrant in the State Beach parking lot off Stagecoach Rd. has been rebuilt, and is now the primary source for commercial water trucks, removing that activity from Parker St.

## PUBLIC WORKS

### **Interim Public Works Director**

Ryan DeSmet has been appointed Interim Public Works Director while Bryan Buckman is out on medical leave. Ryan has all certifications required to oversee operation of the Water Treatment Plant and he and Paul are doing excellent work in Bryan's absence. We hope to see Bryan back soon.

**City Contracting Requirements.** As the Grant and Project Coordinator for the City, Becky is often assigned to develop public works and water system bid solicitations and contracts. Staying in compliance with California Public Contract and Labor Codes can be challenging and time consuming. Becky attended a seminar 'Public Contracting Requirements and Competitive Bidding' last week in San Jose to keep up to date about regulations and best practices for completing the different phases of the public works construction process. The registration fee included a manual that will be a useful reference for City Staff.

**Trinidad Head Trail Maintenance** – City staff worked with a Calfire CDCR crew to implement trail vegetation and view maintenance around Trinidad Head.

**Ground Water Level Monitoring** – City staff is working with the City Engineer to collect data from water level loggers in existing monitoring wells as well as from the barometric pressure logger (deployed on September 28). The information is being used by the City Engineers to ground truth the groundwater model, as well as to support decision making for future public works projects, the Local Coastal Plan update, and protection of the bluff and Tsurai Study Area.

**Clean Beaches Initiative OWTS Repair/Replacement Grant** – This is the final year of this grant to assist landowners with repair or replacement of failing OWTS in the Parker Creek, lower Luffenholtz and Joland Creeks. Eleven OWTS were upgraded last year through this grant program to improve water quality in creeks and at beaches in the Trinidad and Luffenholtz area. Two more OWTS will be replaced in the next several months and another repair is in the planning stages. Project staff are conducting additional outreach to encourage OWTS owners in the priority areas of Parker Creek to get their systems inspected and, if their system needs repairs, to apply to the Clean Beaches OWTS program for funding assistance. The Hidden Creek RV Park is doing a major overhaul to their OWTS systems.

**Town Hall ADA Improvements.** A push button automatic door opener is in place. A complete ADA assessment of the Town Hall has been completed.

**Trinidad Library/Saunders Park ADA Improvements.** A county review of ADA compliance issues in and around the library was recently completed. New signs and a rebuilt section of sidewalk have been completed to meet compliance issues. Animal tracks were lost, but the City is purchasing animal track stencils to allow painted tracks to replace those lost.

#### **Firehouse Expansion – Complete.**

**City MS4 Permit Compliance and Reporting** – City staff completed and submitted the Permit Year 4 online report on October 16 for the Municipal Separate Stormwater Sewer (MS4) Discharge Permit. MS4 Permit coverage is required due to the City's storm water discharge into the Trinidad Bay Area of Special Biological Significance (ASBS). Complying with the permit requirements is costly and time consuming and involves all City staff, the planner, the city engineer, and building official. The average permit compliance costs (not including monitoring) is approximately \$17,000 annually and \$85,000 for the 5 year permit term. In addition, once during each permit cycle, extensive water quality monitoring is required. For the current permit cycle, the City spent \$235,000 for a subset of the monitoring and reporting. The City was able to fund most of the monitoring costs through the prior ASBS Storm Water Project Grant, however additional monitoring requirements were conducted and paid for by the State Water Boards. The City is supposed to conduct another suite of monitoring under our next permit cycle (FY 18-19 or FY 19-20) unless we can either roll those costs into upcoming grants, or convince the State to let us forego the monitoring in lieu of our efforts to eliminate our stormwater discharge.

#### **GRANTS –**

**ASBS Storm Water Management Improvement Project** –Staff are continuing to work with the State Water Resources Control Board grant manager and US Department of Agriculture (USDA) staff to secure funding for the final phase of the Storm Water Project. In a separate Consent Agenda Item, the Council will consider entering into an agreement with the City Planner for preparation of an environmental assessment/NEPA documentation to meet the requirement of the USDA Storm Water financing application for match funding. NEPA for the Storm Water Project is scheduled to be completed in September.

**Van Wyke Trail** – (Grant Funded) – City Planner is working on the CEQA document. The project is waiting for that document to move forward.

**Ocean Protection Council funded Citywide LID Planning and Construction Project**  
The City has been awarded additional funding from the OPC so the project construction can be awarded following the second bid solicitation. The Hector Street Improvements will be constructed with existing funding, and the East Street Improvements are

contingent on approval of our request for additional funding. It is likely construction will take place in June, with landscaping of the Hector Street raingarden being completed in July.

#### **Coastal Commission Local Coastal Program Grants**

##### **Trinidad LCP Planning and Sea Level Rise Update Project:**

The City Planner and city staff are continuing work on several grant tasks including tribal consultation and incorporation of the Tsurai Management Plan into the Local Coastal Program (LCP), development of policies and regulations for the Harbor area, and updating the LCP. The grant project will be completed in October 2018.

##### **City of Trinidad LCP Update Project 2**

The Grant Agreement LCP 17-03 was executed in November 2017. City staff is working with the City Planner and City Engineer to enter into agreements for services for the grant tasks, so the work has not yet started. The project will focus on developing a Coastal Hazards Plan/Recommendations and Water Supply Assessment to support planning and work on the General Plan/LCP update.

##### **FEMA storm damage reimbursement.**

FEMA has reimbursed the City for our costs for the Scenic Dr. stormdrain repair, as well as funding to complete additional repairs needed. FEMA has indicated that they are likely not to provide any funding for the Edward St/Lighthouse slide, as they consider it to be a pre-existing condition rather than wholly caused by the specific storm event.

## **BUILDING DEPARTMENT**

The former Church at the base of Westhaven Dr. has been red-tagged with a stop work order for failure to implement required building permits. Staff are pursuing the next steps to enforce the stop work order, including potential initiation of a nuisance abatement process.

The nuisance abatement process has also been initiated for shoreline protective structures built without permits at a home along Scenic Dr.

The Building Inspector, Planner, and Clerk have been very busy issuing building permits as the construction season gets underway. Routine review of plans and specs for construction in town is ongoing.



## **CONSENT AGENDA ITEM 3**

**SUPPORTING DOCUMENTATION FOLLOWS WITH:      1 PAGES**

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3. Law Enforcement Report – April 2018



**ACTIVITY REPORT  
TRINIDAD  
BY DEPUTY LUKE MATHIESON**

**04/01/2018 – 04/30/2018**

- Regular patrols at Hidden Creek. Continuing to address the problems within the park.
- Conducted numerous vehicle investigations and citizen contacts.
- Worked with casino regarding ongoing issues and locating/arresting wanted persons.
- Conducted regular patrols for subject(s) sleeping at night outside of the library.
- Conducted numerous traffic stops, cites and warnings issued
- Vehicle abatement around the City of Trinidad, multiple parking citations issued.
- Continuing investigation and building probable cause for search warrants for multiple problem houses.
- Conducted proactive searches of the wood areas around Trinidad area to prevent homeless camps
- Continued patrol checks along Scenic Drive to prevent vehicle burglaries.
- Recovered a stolen vehicle from Ocean Grove, suspect was identified and a search warrant was completed for his Ocean Grove room, no evidence was located in the room and there was not enough evidence for a arrest warrant.
- Towed an abandon vehicle from Scenic Drive
- Conducted a traffic stop on Scenic Drive, identified the two females occupants, passenger was on searchable probation and the driver had a suspended license. Located in the vehicle were two loaded handguns with the serial number removed, also located were metal knuckles and an expandable baton, both females were transported to jail for multiple felony charges
- Found wallet was turned into Trinidad Post Office
- Investigated a Hit & Run at the corner of Main Street and Ocean Avenue, suspected was located, victim declined to pursue charges, case documented
- Child Welfare investigation for allegation of child abuse, case was fully investigated and allegations were unfounded
- Attended a two week training to be a certified firearms instructor for the Sheriff's Office



## **CONSENT AGENDA ITEM 4**

**SUPPORTING DOCUMENTATION FOLLOWS WITH:      2 PAGES**

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4.      Resolution 2018-05; Requesting November 2018 Election Consolidation with the County of Humboldt

## DISCUSSION/ACTION AGENDA

Date: Wednesday, May 09, 2018

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**Item:** Resolution 2018-05: Election Consolidation.

**Background:** Instead of holding its own general election process every 2 years, the City of Trinidad makes a request to the Board of Supervisors that the services are consolidated with the County Elections Department. The first step to implement this request is to send a Resolution to the County of Humboldt to render the service.

**Proposed Action:**  
Adopt the resolution.

**Attachments:**

Draft Resolution 2018-05 Requesting Board of Supervisors Render Election Services

**TRINIDAD CITY HALL**  
P.O. Box 390  
409 Trinity Street  
Trinidad, CA 95570  
(707) 677-0223

**Susan Rotwein, Mayor**  
**Gabriel Adams, City Clerk**



**RESOLUTION 2018-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, CALIFORNIA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 06, 2018.**

**WHEREAS**, a General Municipal Election is to be held in the City of Trinidad, California on November 06, 2018; and

**WHEREAS**, in the course of conduct of the election it is necessary for the City to request services of the County; and

**WHEREAS**, all necessary expenses in performing these services shall be paid by the City of Trinidad;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRINIDAD, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, the City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish to the City for use in conducting the election the computer record of the names and address of all eligible registered voters in the City in order that the City may print labels to be attached to self-mailer sample ballot pamphlets; and will also furnish to the City printed indices of the voters to be used by the precinct board at the polling place; and will make available to the City additional election equipment and assistance according to state law.

**SECTION 2.** That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

**SECTION 3.** That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Trinidad on this 09<sup>th</sup> day of May 2018.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Trinidad by the following roll call vote:

Ayes:  
Noes:  
Absent:  
Abstain:

**Attest:**

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

\_\_\_\_\_  
**Susan Rotwein**  
Mayor



## CONSENT AGENDA ITEM 5

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES**

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5. Authorize City Manager to Accept LID Project Bids and Award Construction Contract

## **CONSENT AGENDA ITEM**

**Date: May 9, 2018**

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### **Item: AUTHORIZE CITY MANAGER TO ACCEPT OPC-LID PROJECT BIDS AND AWARD CONSTRUCTION CONTRACT**

**Summary:** The Citywide Low Impact Development Planning and Construction Project (LID Project) will construct storm water improvements on East Street and Hector Street, funded by a grant from the Ocean Protection Council (OPC). The project is being brought to the City Council for acceptance of the bids and approval of the award to the lowest responsive responsible bidder. The attached memo from the City Engineer GHD recommends awarding Bid Items 1 – 10 to Wahlund Construction, Inc. for a total award of \$536,000. Construction is anticipated to start in early June and be completed in August, as described in the attached Advance Construction Notice. The Hector Street raingarden is scheduled for planting in the fall.

**Background :** This project implements a portion of the larger effort to eliminate the City's discharge of stormwater to Trinidad Bay. The OPC recently approved the City's request for \$77,150 in additional grant project funding for a total award of \$848,650. The additional funding will cover higher than anticipated construction costs as well as supporting additional groundwater data collection and analysis. The primary goal of the LID Project construction is to reduce the quantity of polluted runoff discharging into Trinidad Bay (Area of Special Biological Significance) through construction of low impact development (LID) improvements to the storm drainage system on East Street and Hector Street.

The other major goal of the project is to develop bluff protection policies and zoning to guide development and to avoid additional impacts to the bluff, especially following the 2016-17 storm damages. Both the LID construction and the bluff policy development address issues raised by the Tsurai Management Team and recommendations from the Tsurai Management Plan. Completion of the LID storm water improvements will also assist the City in meeting the requirements of the California Ocean Plan's prohibition of waste discharge into the Kelp Beds at Trinidad Head ASBS. The LID Project implements priorities of the Trinidad-Westhaven Coastal Watershed Management Plan, which was initiated to improve local water quality and protect ecosystems including the Trinidad ASBS.

**Staff Recommendation:** Authorize City Manager to accept bids and award construction contract to Wahlund Construction, Inc.

#### **Attachments:**

- GHD Recommendations for Awarding the Project Construction
- City of Trinidad Advance Construction Notice



April 17, 2018

Dan Berman  
City Manager  
City of Trinidad  
P.O. Box 390  
Trinidad, CA 95570

**RE: GHD Recommendation for Awarding the Trinidad Citywide LID Planning and Construction Project 2018**

Dear Mr. Berman:

On March 28, 2018, GHD received two complete and responsive bids for the Trinidad Citywide LID Planning and Construction Project (see attached summary) from Wahlund Construction, Inc. and GR Sundberg Construction, Inc. Of the two bids, Wahlund Construction provided the lowest Base Bid of \$289,000 and an Additive Bid of \$303,500, for a Total Bid of \$592,500. The Bid Document states that the award would be based on the Base Bid only.

Based on the Base Bid results, GHD recommends that the City award the project to Wahlund Construction, Inc. While their Total Bid of \$592,500 is greater than the funding currently available for this project, GHD recommends that all of the Base Bid Items be awarded (Bid Items 1-8) in addition to Additive Bid Items 9 and 10 for a total project award of \$536,000. We believe by awarding Bid Items 1 through 10, that this project can be completed with the available funding and with an acceptable amount of contingency (approximately \$50,000).

We appreciate the opportunity to assist the City with this important project. Please let us know if you have questions or comments.

Sincerely,  
GHD Inc.

A handwritten signature in dark ink, appearing to read "Steve Allen".

Steve Allen, PE  
Principal

A handwritten signature in dark ink, appearing to read "Dagan Short".

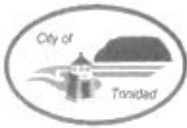
Dagan Short, PE  
Project Engineer



**City of Trinidad**  
**Trinidad Citywide LID Planning and Construction Project**  
 Bid Opening 3:00 PM Wednesday, March 28, 2018

BID SCHEDULE ITEMS					
BASE BID ITEMS				Wahlund Construction	GR Sundberg
Item No.	Description	Quantity	Units	Total	Total
1	Mobilization	1	LS	\$25,000	\$20,000
2	Demobilization and Site Cleanup	1	LS	\$25,000	\$10,000
3	Potholing	1	LS	\$10,000	\$5,000
4	Temporary Traffic Control	1	LS	\$3,000	\$8,500
5	Shoring and Trench Safety	1	LS	\$5,000	\$3,500
6	Construction Staking	1	LS	\$10,000	\$9,500
7	Erosion and Sediment Control	1	LS	\$3,000	\$5,000
8	Hector Street Stormwater Improvements	1	LS	\$208,000	\$240,000
<b>TOTAL BASE BID</b>				<b>\$289,000</b>	<b>\$301,500</b>
ADDITIVE BID ITEMS					
9	East Street Stormwater Improvements (Station 0 to 1+75)	1	LS	\$232,500	\$245,000
10	East Street Permeable Pavers (Station 0 to 1+75)	1	LS	\$14,500	\$40,000
11	East Street Stormwater Improvements (Station 1+75 to 2+75)	1	LS	\$42,000	\$15,000
12	East Street Permeable Pavers (Station 1+75 to 2+75)	1	LS	\$14,500	\$30,000
<b>TOTAL ADDITIVE BID</b>				<b>\$303,500</b>	<b>\$330,000</b>
<b>TOTAL BID</b>				<b>\$592,500</b>	<b>\$631,500</b>





## CONSENT AGENDA ITEM 6

**SUPPORTING DOCUMENTATION FOLLOWS WITH:      2 PAGES**

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6. Consider Draft Resolution 2018-01 formalizing principles of cooperation and communication with the Yurok people and the Tribal Governments within our greater planning area.

## **CONSENT AGENDA ITEM**

**Date: May 9, 2018**

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**Item: Consider Adopting Resolution 2018-01 – A Resolution Promoting Unity and Cooperation Between the City of Trinidad, the Yurok People, and the Tribal Governments within the Greater Trinidad Planning Area**

### **Summary:**

The City, through this resolution, seeks to document and formalize the cooperative effort that led to the resolution of the conflict over the emergency move of the Trinidad Memorial Lighthouse, and to affirm the City's commitment to working together with the Yurok People and the tribal governments of the area.

This resolution has been revised and reviewed by both the Yurok Tribe and the Trinidad Rancheria.

### **Staff Recommendation:**

Staff recommends the Council:

1. Adopt Resolution 2018-01: A Resolution Promoting Unity and Cooperation Between the City of Trinidad, the Yurok People, and the Tribal Governments within the Greater Trinidad Planning Area

Attachments:



**RESOLUTION 2018 - 01**

**A RESOLUTION PROMOTING UNITY AND COOPERATION BETWEEN THE CITY OF TRINIDAD, THE YUOK PEOPLE, AND THE TRIBAL GOVERNMENTS WITHIN OUR GREATER PLANNING AREA**

**WHEREAS,** The City of Trinidad recognizes that we all live together in this community, and that treating others as we want to be treated is always best;

**WHEREAS,** The City of Trinidad is committed to providing an environment that promotes the health and well-being of residents, community, and visitors alike;

**WHEREAS,** The City of Trinidad condemns bullying, intimidation, harassment, hate speech, and racism in all its forms;

**WHEREAS,** The Trinidad Memorial Lighthouse (TML) is a memorial dedicated to those lost or buried at sea, and on January 10<sup>th</sup> had to move from its original setting overlooking the Trinidad Bay due to geologic concerns;

**WHEREAS,** The City of Trinidad recognizes the historic, spiritual, and cultural significance of the Tsurai Village site, and recognizes the need to respect, protect, and preserve the sacred site;

**WHEREAS,** the resolution of the TML move was the result of open communication, good will, and problem solving between governments and organizations;

**WHEREAS,** the move of the TML is a significant symbol of a new beginning and a positive way forward in the relationship between the City of Trinidad, Yurok people and all of the Governments within our greater planning area.

**NOW, THERE IT BE RESOLVED, THAT** the Trinidad City Council pledges to work side-by-side, hand-in-hand with the Yurok People and the Governments within our planning area and beyond for our greater community health and spirit.

**PASSED AND ADOPTED BY THE TRINIDAD CITY COUNCIL,** of Humboldt County of the State of California this 9<sup>th</sup> day of May 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**Attest:**

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**Gabriel Adams**  
City Clerk

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**Susan Rotwein**  
Mayor



## **DISCUSSION AGENDA ITEM 1**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES**

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1. Discussion/Decision Regarding Tsurai Management Team

## **DISCUSSION AGENDA ITEM**

**Date: May 9<sup>th</sup> 2018**

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### **Item: Tsurai Management Team**

#### **Summary**

The City Council discussed the Tsurai Management Team (TMT) in February of this year. At that meeting the Council adopted specific policy positions regarding the TMT, and directed staff to convey those to the TMT and report back to Council. The February staff report is attached, and provides more detail on the history and structure of the TMT and the reasoning behind these policies.

The City policies adopted in February are:

- 1) TMT meetings should be open to the public. Where discussions of confidential information regarding cultural resources are needed, the TMT can hold closed sessions, or the key parties can meet outside of the TMT format.
- 2) TMT membership should be expanded to include the other three stakeholder groups listed in the TMP – The Trinidad Rancheria, a representative of adjacent landowners, and an ‘interested public’ representative
- 3) The TMT should develop and adopt some basic written guidelines or bylaws, including how to move forward when members cannot reach unanimous consensus.
- 4) City participation in the TMT needs to be subject to applicable Brown Act requirements.

These City positions were shared and discussed at the subsequent TMT meeting. The Tsurai Ancestral Society and the Yurok Tribe representatives did not support the City’s recommendations regarding public meetings or expanding membership. There was some interest in working on item #3 – developing written guidelines or bylaws, as all parties agree that the TMT has not been as functional and productive as the parties would like it to be. The TAS argued (in part) that TMT membership was established not just in the TMP, but through legal settlements, and that changing membership would require amendments to those settlements. The Coastal Conservancy was not in attendance, and has not provided any formal comment on these positions.

#### **Staff Discussion:**

The puzzle for the City is how to advance our adopted policies while fulfilling our commitments to implement the TMP. Staff’s ideas and recommendations follow:

1. *The City should continue to participate in regular TMT meetings.*

The City has significant ongoing work to do with the TMT members that would be dramatically affected by a withdrawal from the group. In addition, the City has made a legal commitment to help implement the TMP, and the TMT is the key mechanism identified to do so. Withdrawing could create legal liability for the City.

2. *Until the meetings are open, the City should be represented at TMT meetings by the City Manager and City Attorney, without Council members present, in order to meet the policy and legal requirements of the Brown Act.*
3. *The City could consider establishing a separate City Committee focused on tribal relations and cultural resources.*

This would be an ongoing City led stakeholder committee that would hold open Brown Act compliant meetings. This would help address the City TMT policy goal of open meetings with a more inclusive membership. Staff would recommend that the group include at a minimum the Yurok Tribe, Trinidad Rancheria, TAS, and public (Trinidad resident) representation, with a Council or Planning Commissioner as chair. The public would always be invited and have a chance to speak as well. Many City projects, both on and off the Tsurai Study Area, require input and/or consultation regarding cultural resource issues. This committee could be a single place to help discuss tribal and cultural resource issues and relations for the City with all interested parties. It would be an advisory group to the City. The City could bring issues from the TMT to this Committee to ensure the public and other interested groups have a chance to weigh in on those issues as well.

This would require additional staff effort and volunteer effort from the participants, and would be partially redundant with the TMT. The effectiveness and participation rate in such a committee is hard to predict, but it would be a way to try and implement the policy positions adopted in February.

#### Staff Recommendations:

Discuss and provide guidance regarding how to proceed with the TMT, and whether to continue to explore the idea of a new City Committee.

## **DISCUSSION AGENDA ITEM**

**Date: February 13<sup>th</sup> 2018**

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### **Item: Tsurai Management Team**

#### **Summary**

The City of Trinidad is one of four entities currently represented on the Tsurai Management Team (TMT). The TMT is a stakeholder based advisory group formed first to help prepare the Tsurai Management Plan (TMP), and then tasked in the Plan with a goal of guiding TMP implementation to protect and restore the resources of the Tsurai Study Area. The TMT is effectively an advisory group to the TSA land owner, and a forum for stakeholders to work together to implement the Tsurai Management Plan.

This agenda item is a summary and update on the status of the TMT, and an opportunity for the City Council to provide direction and guidance on questions involving membership, process, and function of the TMT.

#### **Background:**

The City of Trinidad is the current owner of 12.5 acres of land which includes the historic Yurok village of Tsurai and is referred to as the Tsurai Study Area\* (TSA). The City acquired the TSA from the California Coastal Conservancy, who hold an easement for public access and cultural resource protection over the property.

The Tsurai Management Plan (2007) was drafted by the Yurok Tribe with guidance from the Tsurai Management Team and financial support from the Coastal Conservancy. The Vision Statement of the TMP describes the Plan's goal to 'enhance and coordinate effective management of the TSA... to protect, preserve, and restore the cultural, natural and recreational resources... for this and future generations.' The TMP includes current and historical information on the resources and history of the TSA, discussion of resource management issues, and recommendations for management of the site. The TMP tasks the Tsurai Management Team to guide implementation of the Plan's recommendations.

The TMP can be accessed on the City website here:

<http://www.trinidad.ca.gov/documents-library/category/22-tsurai-management-plan.html>

While the TMP was being drafted, the City of Trinidad, TAS, and Coastal Conservancy committed to making best efforts to implement the Plan's recommendations as part of a legal settlement (Frame 2005). The City adopted the Tsurai Management Plan in 2007.

\* The Tsurai Study Area is defined in the TMP as being the 12.5 acres transferred from the Coastal Conservancy to the City. In the City's General Plan the TSA is defined by a specific map which differs slightly from the full 12.5 acres.

## **TMT Membership and Stakeholders**

The TMP lists the following 7 entities as 'stakeholder groups ...who have a vested interest in the management of the TSA.' (p 3)

- Tsurai Ancestral Society
- City of Trinidad
- California Coastal Conservancy
- Yurok Tribe
- Cher-Ae Heights Indian Community of the Trinidad Rancheria
- Adjacent Property Owners (including individuals, the Trinidad Civic Club, and the Trinidad Coastal Land Trust)
- Interested Public (anyone with an interest in the management of the TSA)

## **Current TMT Membership**

The Tsurai Management Team currently includes four of these seven identified stakeholder groups: the Yurok Tribe, the Tsurai Ancestral Society, the City of Trinidad, and the California Coastal Conservancy.

From the TMP:

'The (Trinidad) Rancheria was invited to participate as a member of the Management Team for the purposes of preparing this plan, but declined. However, at this time they remain a stakeholder as identified in the City's consultation protocol of Policy 69.' (p 4)

The Trinidad Rancheria declined that initial invitation based on lack of staff resources at the time (circa 2005), and noted their interest in participating in the future. They have since expressed their interest in the Tsurai Study Area and in joining the Tsurai Management Team on multiple occasions over many years.

The TMP provides no further guidance on possible changes to the TMT membership, but does call for an adaptive management approach to implementation.

## **City General Plan Policy 69**

Policy 69 is the specific policy in the Trinidad Local Coastal Plan (1989) that deals with the protection of archeological and cultural resources within the Tsurai Study Area. It specifically identifies the Trinidad Rancheria, among others, as having a right of consultation on projects on the area of the TSA designated as 'Open Space' in the City Zoning Maps.

from Policy 69:

"There shall be no disturbance, vegetative removal or construction, except for a protective fence around the burial ground, on lands designated as Open Space within the Tsurai Study Area without the approval of the lineal descendants of



Tsurai, Trinidad Rancheria, City of Trinidad, and the State Historic Preservation Office”

### **TMT Process:**

#### Guidelines or bylaws:

The TMT does not have written bylaws or guidelines outside of the language in the Tsurai Management Plan itself. In recent years the TMT has attempted to operate by unanimous consensus. The City, as property owner, can propose and advance projects on the TSA after a good faith effort at consensus and consultation, but has been reluctant to do so without the full support of the TMT. This is especially true considering past legal actions and permit appeals for projects on or near the TMT

The limited guidance in the Management Plan regarding TMT process includes this statement in Part 11: Recommendations:

“Although it is understood that consensus among the Team is ideal, consensus is not always feasible. Therefore, determinations of implementation should be focused on what is best for the entire TSA, including protection of the recreational, cultural, and natural resources contained therein.”

#### Open vs. Closed meetings:

The TMT has normally held closed meetings, with guests outside of the TMT members invited only by unanimous consent of the TMT.

#### TMT and the Brown Act

The Brown Act requires that ‘standing committees’ of the City hold their meetings in accordance with the Brown Act. This means the meetings are open to the public, and agendas are posted in advance. The definition of ‘standing committee’ is broadly interpreted as a committee involving appointed Councilmembers, meeting on an ongoing basis, to address a specific issue or set of issues. Staff believe a cautious interpretation could make the TMT subject to the Brown Act if Councilmembers are central City representatives to the group.

### **Implementation of the TMP**

Some TMP recommendations have been implemented, including drainage projects, increased oversight of septic systems in Trinidad, septic system repairs upstream of the TSA, and trail maintenance. Other recommended projects including signage, vegetation management, and a handrail on the Axel Lindgren Memorial Trail, have not advanced.

The TMT has made two significant efforts towards the recommendation to transfer ownership of the TSA. The first was in 2008-2010, when the City and Yurok Tribe were close to completing a land transfer, but the TAS asked the City not to go forward. The second effort at land transfer spans from 2015 to the present and is currently ongoing. The City and TAS agreed in concept in

December 2016 to transfer the land to the Yurok Tribe and TAS. The necessary agreements and approvals from the Coastal Conservancy have been in development over the past year and are near complete. The final agreements will need approval by the City, TAS, the Yurok Tribe and the Coastal Conservancy.

**Staff Recommendation:**

Staff sees the TMT as a valuable and important forum for communication and collaboration towards the shared goals of protecting and restoring the Tsurai Study Area. All recommendations made here are in the spirit of building upon past efforts and advancing implementation of the Tsurai Management Plan recommendations.

The TMT is not a Committee established and created by the City Council, where the Council can clearly appoint members and set policy for the group.

That said, the Council can clearly articulate City policy and guidance for the City representatives to advance with the other members of the TMT.

Staff recommends the City Council

- a) accept public comment,
- b) consider adopting the following policy positions:
  - 1) TMT meetings should be open to the public. Where discussions of confidential information regarding cultural resources is needed, the TMT can hold closed sessions, or the key parties can meet outside of the TMT format.
  - 2) TMT membership should be expanded to include the other three stakeholder groups listed in the TMP – The Trinidad Rancheria, a representative of adjacent landowners, and an ‘interested public’ representative
  - 3) The TMT should develop and adopt some basic written guidelines or bylaws, including how to move forward when members cannot reach unanimous consensus.
  - 4) City participation in the TMT needs to be subject to applicable Brown Act requirements.
- c) direct staff to convey any adopted policies to the TMT members and TMP Stakeholders.



## DISCUSSION AGENDA ITEM 2

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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2. Discussion/Direction re: Edwards St. Bluff Parking

## **DISCUSSION AGENDA ITEM**

**Date: May 9<sup>th</sup> 2018**

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### **Item: Edwards St. Bluff Parking**

#### **Summary**

The City has labelled the bluff side of Upper Edwards St. (between Trinity and Ocean) as 'No RV Parking' with lettering on the street, but without signs. This is generally respected, but is not completely enforceable per the City's own code, which requires a resolution designating any special parking regulations, and per the Sheriff's Office, which requires signs for parking enforcement. This area has a beautiful view, appreciated by many, and the desire to avoid very large vehicles blocking the view seems reasonable and appropriate.

There has been some frustration lately over the Sheriff's Deputies stance that the current situation does not support issuing citations. There have also been concern over people who are not necessarily in RV's, but are parking for extended periods and seemingly camping (or cooking, or hanging clothes to dry...) out of their vehicles.

Staff see the following options, and are seeking Council and community input.

1. Whatever the desired specifics, Council needs to pass a resolution specifying the parking restrictions and the basis for them.
2. One option is a resolution simply formalizing the 'no RV parking' lettering already present.
3. Another option is to add a time limit. Staff suggests one hour parking. These few spots are highly desired for their view, and one hour parking would ensure nobody 'hogs' them for an entire afternoon

Staff would prefer to avoid placing new signage in such a beautiful view area, and will work with the Sheriff's Office to establish whether that is absolutely necessary under City Code, or if painting on the curb and road can be sufficient to allow enforcement and citations.

Based on Council direction, staff will work to develop the appropriate resolution for the Council to consider at a future meeting.

#### **Staff Recommendation:**

Provide Direction to Staff regarding desired parking restrictions on the upper block of Edwards St.



## DISCUSSION AGENDA ITEM 3

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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3. Discussion re: OWTS Permitting Implementation

## **DISCUSSION AGENDA ITEM**

**Date: May 9<sup>th</sup> 2018**

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### **Item: OWTS Permit Implementation**

#### **Summary**

Staff are working to get OWTS Permits issued for every septic system in the City Limits, as intended under our OWTS Ordinance.

Staff will provide a brief presentation at the meeting of the current status of this effort and the expected timeline to complete the initial round of permitting. . The Staff Activity Report (in the consent agenda) has a brief summary.

#### **Staff Recommendation:**

Receive presentation and discuss.



## **DISCUSSION AGENDA ITEM 4**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES**

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4. Discussion/Decision regarding Planning Commissioner Appointment.

## DISCUSSION AGENDA ITEM

Wednesday, May 09, 2018

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**Item:** Discussion/Decision Regarding Planning Commissioner Appointment

**Background:** The Planning Commission has been operating with only 4 commissioners since August of 2017. The vacant seat term expires in December 2020.

The current commissioners are:

VACANT	<i>must be a City resident</i>	Term expires December 2020
John Graves	Trinidad Area Resident	Term expires December 2020
Diane Stockness	City resident	Term expires December 2018
Richard Johnson	Trinidad area resident	Term expires December 2018
Brett Gregory	City resident	Term expires December 2018

Trinidad Municipal allows the Planning Commission to include up to (2) Commissioners that live outside the city limits, but at this time those two seats are taken. This will require a replacement Commissioner to reside inside the city limits.

A vacancy notice has been posted and ongoing since the position was left vacant last summer.

The City recently received a letter of interest from city resident Mike Morgan. Mr. Morgan served on the Planning Commission from 2006-2008, then served a 4-year term on the City Council from 2009-2012.

**Proposed action:** Consider letter of interest from Mike Morgan to fill the vacant term on the Trinidad Planning Commission.

**Attachments:**

- Brief email letter of interest from Mike Morgan.



## Trinidad City Clerk

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**From:** M Morgan <mmorgan.online@icloud.com>  
**Sent:** Friday, May 04, 2018 1:02 PM  
**To:** cityclerk@trinidad.ca.gov  
**Subject:** Request for Appointment to Vacant Planning Commission Position (Term Expires December 2020)

Hey Gabe,

Susan Rotwein asked I get my request in by today for consideration, so here it is.

If there's additional information required for me to be appointed to the Planning Commission's vacant position 2020, I'm happy to provide it.

If I need to more formally request consideration next month, I'm happy to do it then.

Sincerely,  
Mike Morgan  
560 Edwards St., #849  
Trinidad, CA 95570-0849

Sent from Mike's iPhoneX 🙌😊



## **DISCUSSION AGENDA ITEM 5**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES**

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5. Discussion regarding FY 2017-2018 Audit Recommendations

***NO SUPPORTING DOCUMENTS SUBMITTED FOR THIS ITEM.***